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#20

PATENT  
Attorney Docket: P04334US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Allard et al.  
SERIAL NO: 09/446,711  
FILED: April 3, 2000  
TITLE: METHOD FOR IMPROVING THE FREEZING TOLERANCE OF PLANTS

ART UNIT: 1638  
EXAMINER: Collins, C.

**Petition to Accept Photographs as Drawings**  
**(37 C.F.R. § 1.84(b))**

Commissioner for Patents  
P.O. Box 1450  
Mail Stop RCE  
Alexandria, VA 22313-1450

ATTN: Official Draftsperson

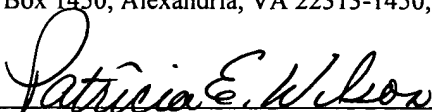
Dear Sir:

1. In regard to the Office Action dated August 13, 2002, Applicants have secured colored photographs as requested by the Examiner.
2. A petition is hereby made to accept colored photographs in this case.
3. Three (3) sets of colored photographs and a black and white photocopy that accurately depicts the subject matter shown in the color drawings are submitted herewith. Therefore, Applicants are herein submitting colored photographs, Fig. 4 and Fig. 5 to the official draftsperson.

=====

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, prior to 5:00 p.m. on the 2nd day of July, 2003.

  
Patricia E. Wilson

Express Mail # EV 322613365 US

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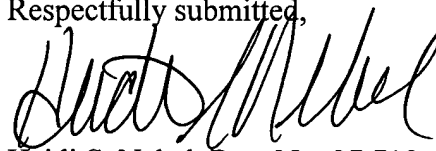
4. Applicants are by amendment, amending the specification to contain the language as the first paragraph of the brief description of the drawings to the language set forth in 37 C.F.R. § 1.84 (a)(2)(iv).

5. The reason why photographs are necessary in this case is to show the concept of "greening". Figure 4 shows turf regrowth in following early spring for the non-treated control and the betaine-treated area. The upper view shows the treated area. Figure 4B shows a close up caption showing the betaine-treated areas and the non-treated control (bottom).

Figures 5A and B show another example of the effect of betaine on winter survival and regrowth in early spring

Please charge Deposit Account 26-0084 in the sum of \$130.00 to cover the cost of the petition fee (37 C.F.R. 1.17(h)). Please charge Deposit Account 26-0084 for any fee deficiency, or credit the account for any overpayment.

Respectfully submitted,



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McKEE, VOORHEES & SEASE  
Attorneys of Record  
801 Grand Avenue - Suite 3200  
Des Moines, Iowa 50309-2721  
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Attorney of Record

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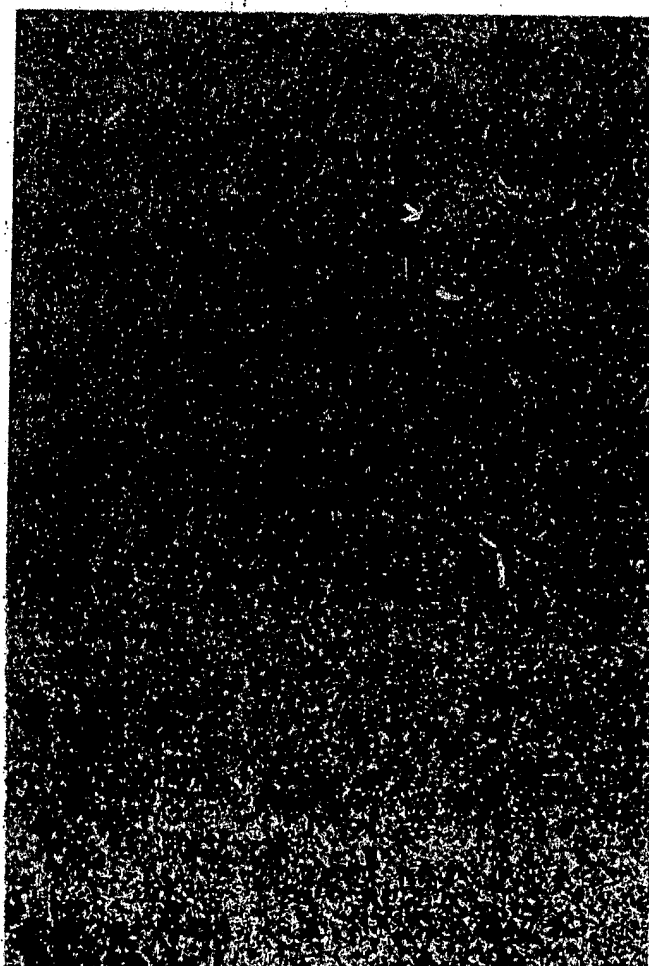
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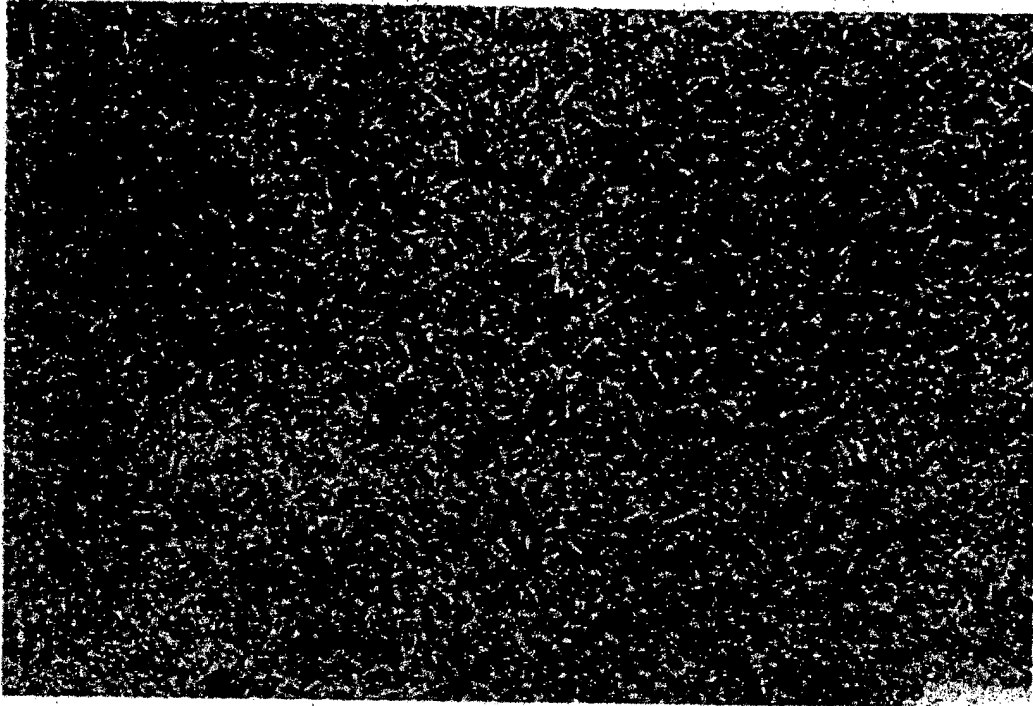
*Fig. 4A*



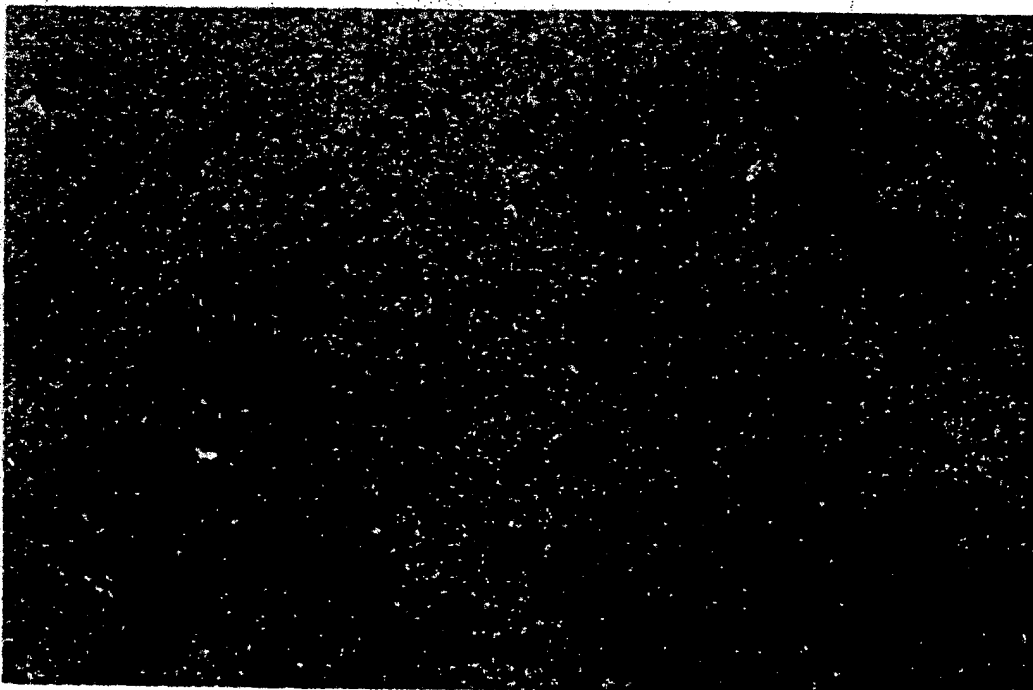
*Fig. 4B*



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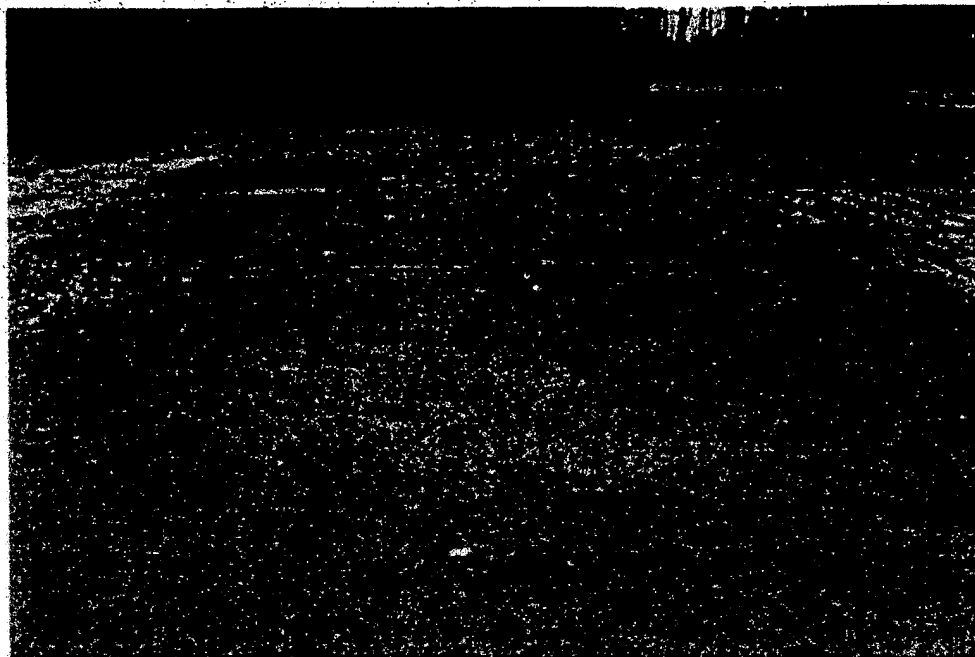
*Fig. 5A*



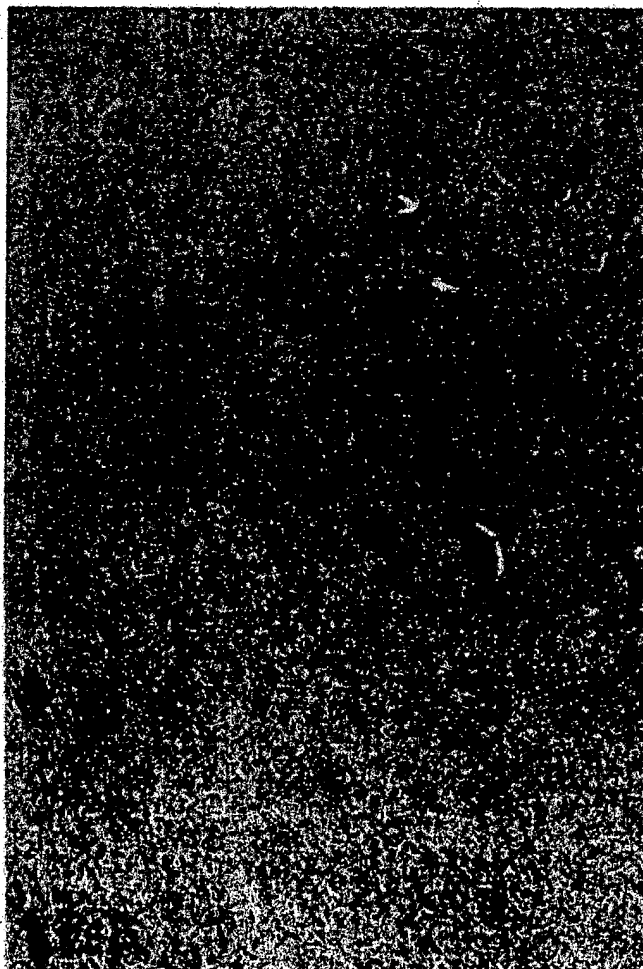
*Fig. 5B*



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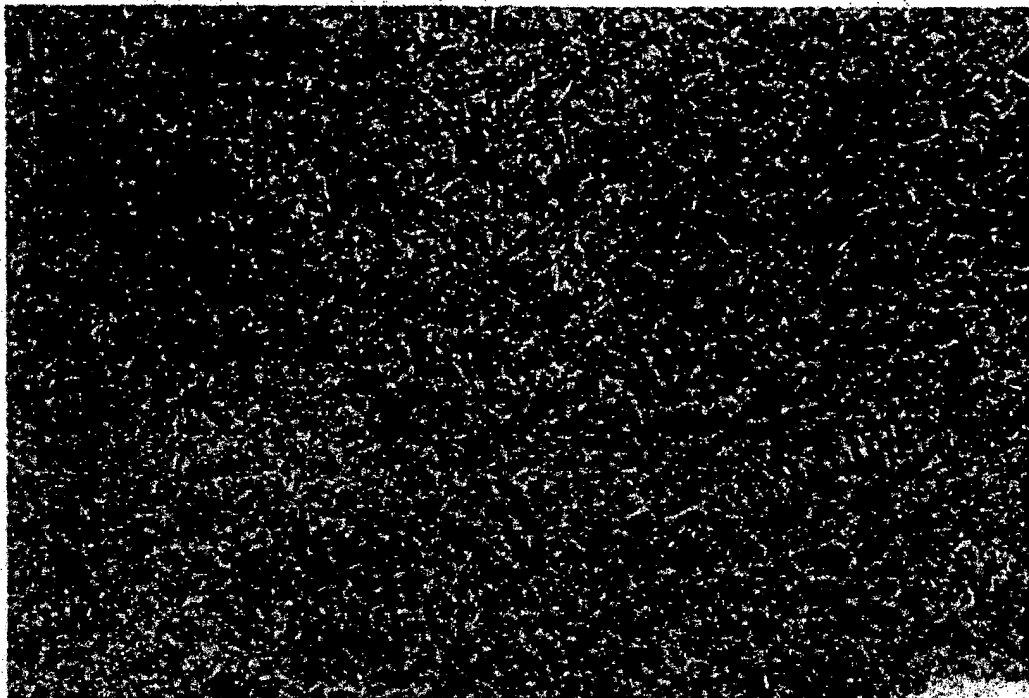
*Fig. 4A*



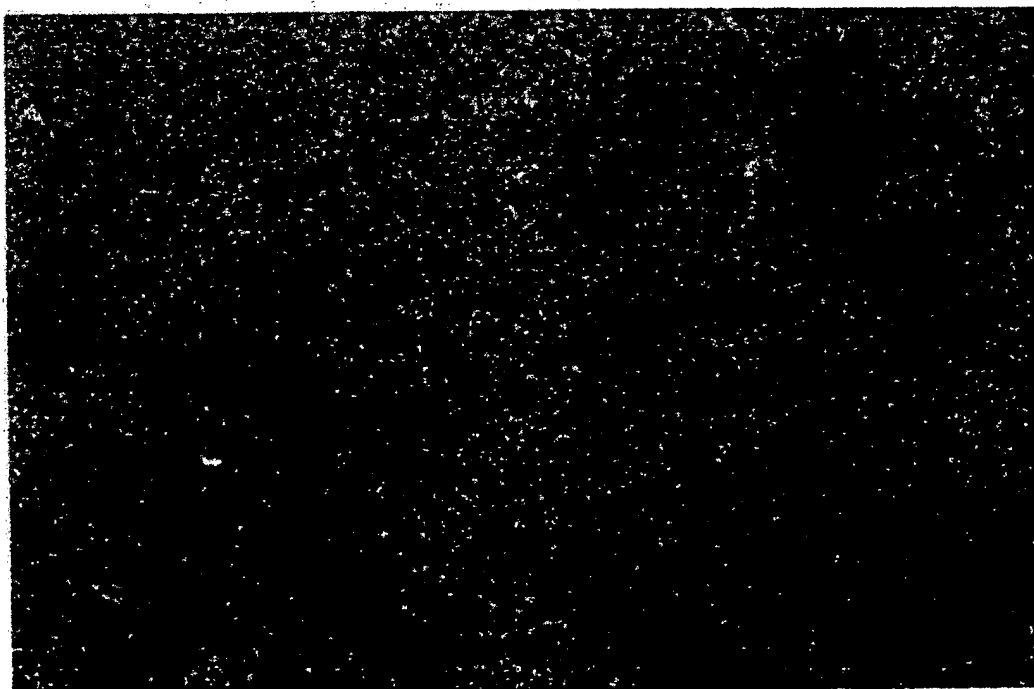
*Fig. 4B*



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*Fig. 5A*



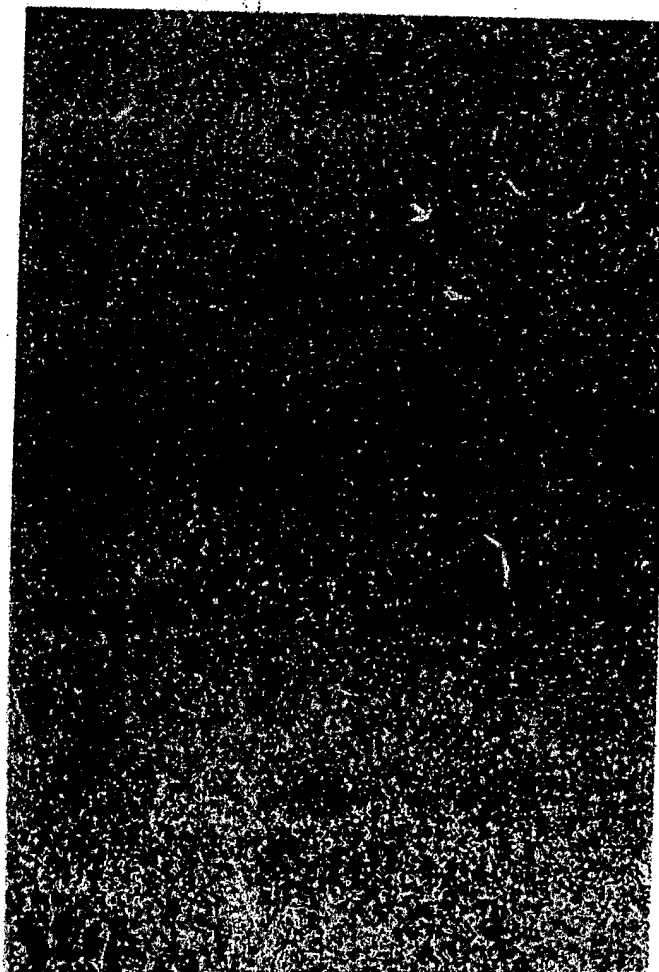
*Fig. 5B*



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*Fig. 4A*

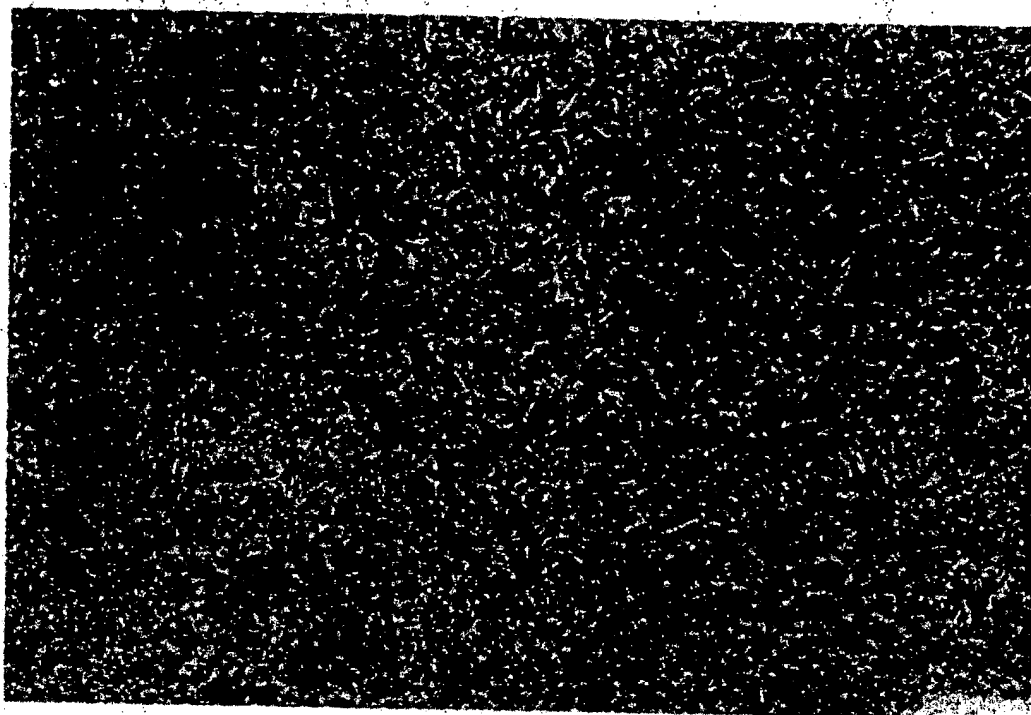


*Fig. 4B*





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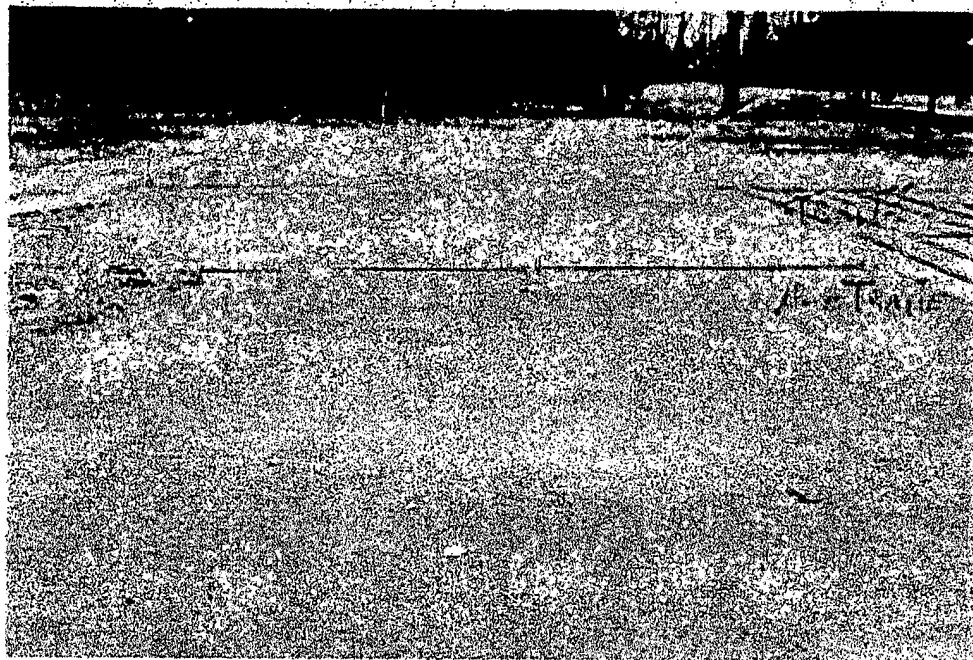
*Fig. 5A*



*Fig. 5B*



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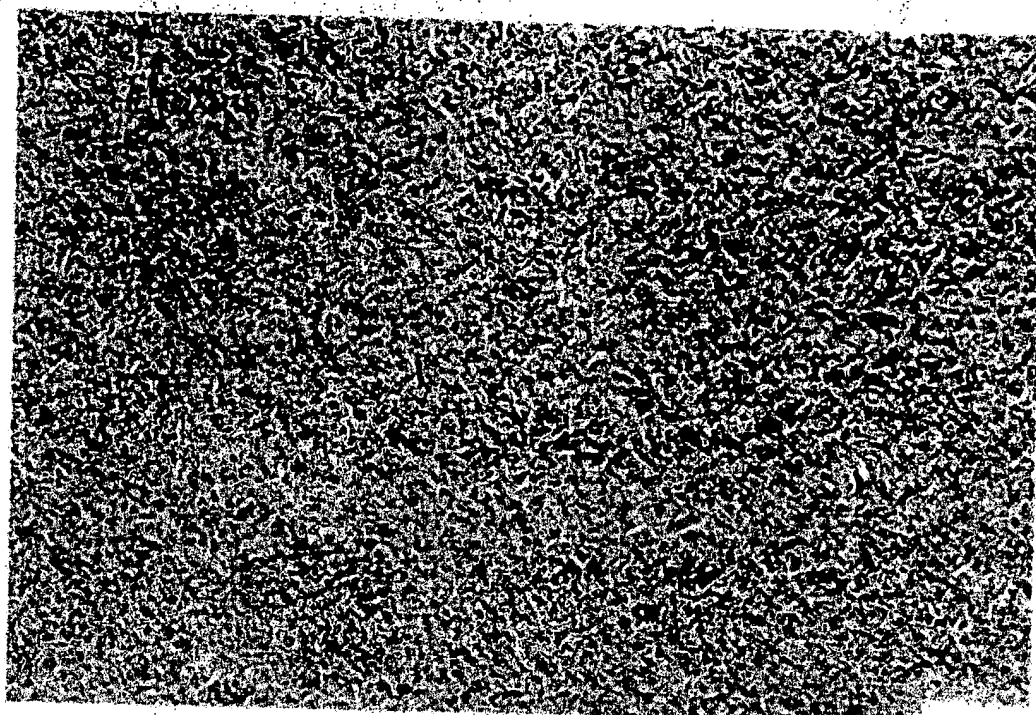
*Fig. 4A*



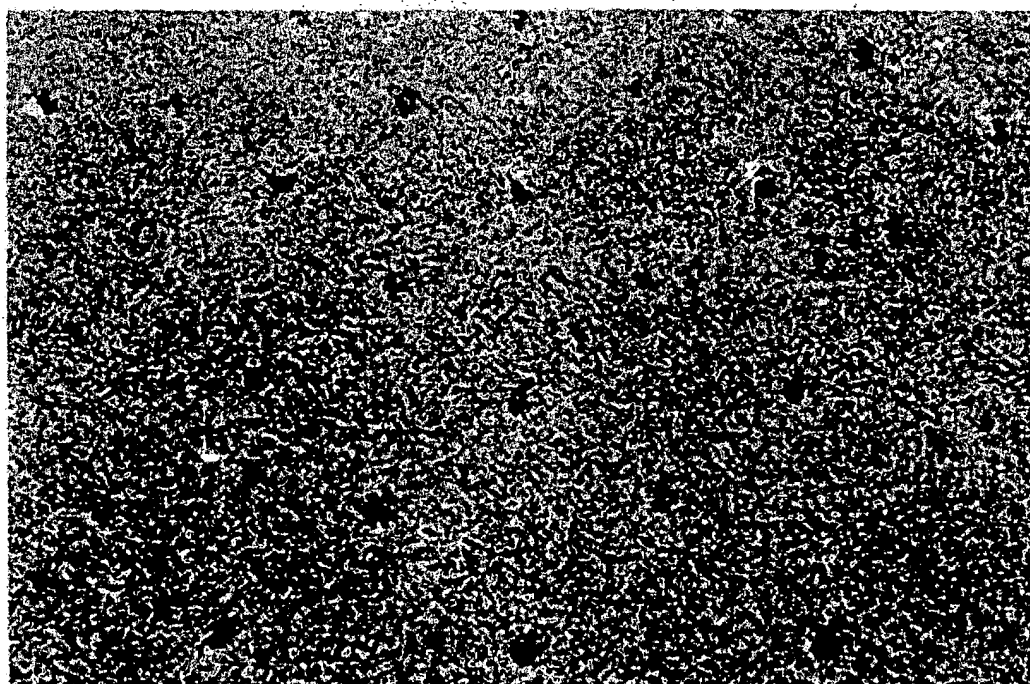
*Fig. 4B*



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*Fig. 5A*



*Fig. 5B*